

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND  
SOUTHWEST AREAS PENSION FUND,  
and HOWARD McDUGALL, Trustee,

Plaintiffs,

**V.**

BUCK DEAN EXCAVATING, LLC.  
an Illinois limited liability corporation,

Defendant.

Case No. 07 C 7137

District Judge Kendall

## Magistrate Judge Keys

## PLAINTIFFS' MOTION FOR RELEASE OF GARNISHED FUNDS

NOW COME Plaintiffs, through their attorneys, and move this Court for an Order directing First Federal Savings Bank of Champaign-Urbana, to release certain funds to Plaintiffs. In support, Plaintiffs state as follows:

1. On March 5, 2008, the Clerk of this Court issued a garnishment summons to First Federal Savings Bank of Champaign-Urbana, Garnishee-Defendant.
2. First Federal Savings Bank of Champaign-Urbana was served with a Garnishment Summons (non-wage), Affidavit for Garnishment (non-wage) and Interrogatories to Garnishee by the Champaign County Sheriff on March 13, 2008.
3. At the time of service, First Federal Savings Bank of Champaign-Urbana had on deposit \$3,528.49 in the name of the judgment debtor. Attached hereto as Exhibit A is First Federal Savings Bank of Champaign-Urbana's Answers to Interrogatories.

WHEREFORE, Plaintiffs respectfully request this Court to order the First Federal Savings Bank of Champaign-Urbana to release \$3,528.49 to Plaintiffs by mailing a check made payable to Central States, Southeast and Southwest Areas Pension Fund to the undersigned attorney at 9377 W. Higgins Road, Rosemont, Illinois 60018, and Plaintiffs further request that the Court grant them all other just and appropriate relief.

Respectfully submitted,

/s/ Edward H. Bogle

Edward H. Bogle (ARDC No. 6277152)  
Attorney for Plaintiffs  
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April 24, 2008

**CERTIFICATE OF SERVICE**

I, Edward H. Bogle, one of the attorneys for Central States, Southeast and Southwest Areas Pension Fund, certify that I served the foregoing Plaintiffs' Motion For Release of Funds to:

Mr. Buck Dean  
607 S. Walnut St.  
Mahomet, IL 61853

Said Motion was sent via U.S. Postal service, 1<sup>st</sup> class mail to the parties denoted above from 9377 West Higgins Road, Rosemont, Illinois, 60018-4938 this 24<sup>th</sup> day of April, 2008.

/s/ Edward H. Bogle

Edward H. Bogle  
Plaintiffs' Attorney